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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 003753

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [IZ](#)

SUBJECT: SUNNI-KURD MEETING IN IRBIL: FEW DECISIONS,
SUNNIS IN DISARRAY

REF: BAGHDAD 3718

Classified By: Political Counselor Robert Ford, for reasons
1.4 (b) and (d).

1.(C) SUMMARY: Conversations with participants in discussions on the constitution in Irbil (reftel) confirm the lack of progress toward an agreement with the Kurds. The Kurds indicated that they reached agreement on at least one issue - using Arabic in the Kurdish region alongside the Kurdish language. They did not reach agreement on big issues, such as Iraq's identity, and the Kurds told the Sunni Arabs to work out an agreement with the Shia Coalition on the manner by which new regional entities will be established. Our sources have not told us of any planned meetings between the Shia Coalition and the Sunni Arab negotiators. The Sunni Arabs continue to urge U.S. and UN engagement on their behalf with the Kurds and Shia, without clearly indicating what would constitute the price for Sunni support for the draft constitution. We are telling the Sunni Arabs, and the Shia Coalition and the Kurds, that we now want closure on the text. We doubt the Sunni Arab negotiators understand that the time for protracted negotiations is past. We are dubious that Shia Coalition and Kurds ultimately will change the text much on the issue of Iraq's identity and federalism. Thus, we anticipate that the draft constitution will have little or no public Sunni Arab leadership support. END SUMMARY

FINDING SOME COMMON GROUND WITH KURDS ?

12. (C) Sunni Arab contacts differ on the outcome of the discussion with Kurdish representatives in Irbil September 8-10. Two participants, Iraqi Republican Gathering leader Saad al Janabi and Iraqi Council of National Dialogue (ICND) member Sadoun al-Zubaidi, told poloff the Sunnis and Kurds agreed on compromise federalism language. However, former Sunni Waqf leader Adnan al-Dulaimi, in a separate conversation, insisted that no such agreement was reached, stressing that he would reject any reference to federalism in the constitution. ICND member Mahmoud Mashadani maintained that Sunnis neither accepted nor rejected any particular federalism language, stressing that the issue should be resolved by the next national assembly. He added that his party would accept federalism as a principle only for Kurdistan8, not for the rest of Iraq.

13. (C) Similarly, Poloff received differing answers on the status of agreement on natural resources language. Al-Janabi said there had been agreement to accept Article 109 as it is currently reads in the constitution. An ICND contact maintained that no such agreement was reached.

14. (C) Sunni contacts further report continued differences with the Kurds over formulations for the constitution's language on Iraq's Arab identity: However, they said that the Kurds had agreed to accept language asserting that both Arabic and Kurdish would be used by official institutions in the Kurdistan region. Masood Barzani told the Charge September 10 evening that the Sunni Arabs had brought proposals and a few, such as the one on the Arabic language in Kurdistan, had been accepted. Other Sunni Arab proposals, including Iraq's identity and restricting Iraqi mothers' rights to transmit citizenship did not receive Kurdish backing. The Kurds provided us the minutes of their last meeting with the Sunni Arabs that indicated that the Kurds had agreed to the Sunni Arab idea of changing Article 114 about the next national assembly passing a law governing establishment of new regional entities. The Sunni Arabs had wanted a two-thirds vote in the assembly for passage of this law. Barzani told the Charge that the Kurds told the Sunni Arab negotiators that they would have to gain Shia Coalition agreement on difficult issues like federalism.

DISTRUSTING EACH OTHER; LOOKING TO U.S. AND UN

15. (C) In the aftermath of the Irbil discussions, the Sunni Arabs appear as distrustful of each other as of the Kurds and Shia. Saad al-Janabi cautioned that most participants are likely to continue to reject the constitution publicly to maintain credibility with the Sunni Arab street. Meanwhile,

they likely will privately seek to engage the Kurds on textual changes. Less than two days after the discussions ended, one of the attendees -- Homeland Party Chairman Misha, an Thamin al-Jabouri) published a newspaper commentary accusing the ICND,s Shaykh Abdul Nassir Al-Janabi of being in the pay of moderates.

URGING UN TO KILL THE DRAFT ENTIRELY

16. (C) Saad al-Janabi stated to Poloff September 12 that several Sunni Irbil meeting participants (i.e., Dulaimi, Abdul Nasr al-Janabi, and Khalaf al-Ayan) met with UNAMI September 12 to say they would reject the Constitution if no changes are made to accommodate the Sunni Arabs. Adnan Dulaimi urged UNAMI to help stop the constitution draft entirely, according to al-Janabi. Reportedly, UNAMI representatives replied by stressing that the constitution would need to be printed within 48 hours. (NOTE: We are seeking a UNAMI account of the meeting and will report septel.)

URGING COMMON SENSE

17. (C) Poloff has told these Sunni Arab contacts that they must bring the discussions to a close very quickly; the window of opportunity must close so that the text can be distributed nationwide. Poloff observed that the Sunni Arabs could not negotiate until October 14 - as much as they might like to. In typical responses, Saadun al-Zubaydi and Mahmud Mashadani in separate conversations September 11 and September 12 insisted the draft text could be changed later and the changes put in the newspapers.

COMMENT

18. (C) Acknowledging the lack of success in Irbil, our Sunni Arab contacts urged U.S. pressure on the Shia and Kurds to accommodate the Sunni Arab position. Our sources have not told us of any planned meetings between the Shia Coalition and the Sunni Arab negotiators. In our exchanges, we increasingly detect from the Sunni Arabs the message that they believe the USG needs closure on the Iraqi constitution more than the Sunni Arabs themselves. Mashandani told us that the U.S. should push for agreement on the document, because it is a &U.S. project.⁸ We are telling them that we now want closure - but the Sunni Arab political leadership is often slow to understand when events have passed them. It is also increasingly clear that the draft text as it stands will have little or no public Sunni Arab leadership support.
Satterfield